

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRACY WILLIAMS,

Plaintiff,

v.

Case No. 2:20-cv-13030

District Judge Arthur J. Tarnow

Magistrate Judge Anthony P. Patti

FCA US LLC,

Defendant.

**ORDER RESOLVING PLAINTIFF'S SECOND MOTION TO COMPEL
DISCOVERY AND FOR SANCTIONS (ECF No. 23)**

This matter came before the Court for consideration of Plaintiff's second motion to compel discovery and for sanctions (ECF No. 23), Defendant's response in opposition (ECF No. 27), and the parties' supplemental joint list of unresolved issues, which narrowed the motion to the three remaining issues discussed below (ECF No. 29). Judge Tarnow referred the motion to me for a hearing and determination. (ECF No. 25.)

As the parties resolved the remaining issues of their own accord moments before the scheduled a hearing on January 19, 2022, counsel for both parties appeared and put the following stipulations on the record, which the Court

HEREBY ORDERS and will enforce:

- By **Monday, February 7, 2022**, Defendant must produce a signed and sworn verification page for its interrogatory responses, per Fed. R. Civ. P. 33(b)(3) and (5).
- By **Monday, February 7, 2022**, Defendant must produce its supplemental responses to Plaintiff's Document Request Nos. 19, 20, and 21, specifically by producing PLMs, PIPs and termination letters, as identified in the supplemental joint list of unresolved issues. (*See* ECF No. 29, PageID.533.)
- Defendant has agreed that the outstanding depositions, as identified in the supplemental joint list of unresolved issues (*see* ECF No. 29, PageID.534), can be tentatively scheduled for **February 8-11, 2022**; but in any case, the Court requires that they must all be made available to testify and have their depositions completed no later than **Monday, February 28, 2022**. As Defendant's counsel represented on the record that Charlie Stein is no longer an employee of FCA, Defendant must either provide to Plaintiff his last contact information, or certify in writing that it will produce Stein for his deposition without the need for a subpoena, by **Wednesday, January 26, 2022**.

Finally, on the record, Plaintiff's counsel waived any request for attorney fees related to the filing of the instant motion. The Court, thus, considers the motion (ECF No. 23) resolved as reflected herein and in all other aspects not herein addressed. Failure to comply with this Order may result in sanctions under Fed. R. Civ. P. 37(b)(2)(A), up to and including default judgment and/or contempt of court.

IT IS SO ORDERED.

Dated: January 20, 2022



Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

